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UNCLAS SECTION 01 OF 04 TEL AVIV 001679

SIPDIS

SENSITIVE

FOR G/TIP SALLY NEUMANN; NEA/RA JOHN MENARD

E.O. 12958: N/A

TAGS: [PHUM](#) [KWMN](#) [KCRM](#) [SMIG](#) [EG](#) [IS](#) [GOI](#) [INTERNAL](#) [ISRAELI](#) [SOCIETY](#)

SUBJECT: TRAFFICKING NGOS WEIGH IN ON WHERE THE SYSTEM IS FAILING AND SUCCEEDING

REF: A. TEL AVIV 1336-1338 (THREE-PART REPORT)

[1](#)B. 04 STATE 273089

(U) Note: In addition to Post's earlier extensive submissions in connection with the annual Trafficking in Persons report, Post offers the following abbreviated summary of comments received from NGO and GOI representatives in the process of compiling the Ref (A) submissions and on which Ref (A) submissions were based.

[1](#)1. (SBU) Summary: Representatives of Israeli NGOs against Trafficking in Persons (TIP) say that the GOI, while inflicting stricter sentencing of traffickers and implementing other improvements, still falls short in some areas in its efforts to combat TIP. NGO representatives charge that:

-- Smuggling women into Israel for prostitution remains too easy;

-- The absence of laws against prostitution hamper efforts to fight trafficking;

-- The police often fail to distinguish trafficking victims from other foreigners illegally in Israel, and therefore rush to deport them before they can testify against traffickers.

-- Court congestion delays trials of traffickers for up to a year, thus lessening the chances that TIP victims will be available to testify.

-- Israel's sole shelter for trafficked women is operating below full capacity because police are referring only those willing to testify against traffickers.

-- Women in the shelter complain of restrictions on time they can spend outside the shelter.

NGOs also say, however, that the government has improved certain aspects of its efforts to combat TIP, some of which include:

-- Better TIP-related training for government investigators and police.

-- Despite often rushed deportations of trafficking victims, improved GOI efforts to obtain testimony from trafficking victims for prosecuting traffickers.

-- The closure of brothels, where many trafficking victims for prostitution work; and

-- The implementation of a new public awareness campaign in source countries to educate women about the dangers of coming to work in Israel as prostitutes. End Summary.

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Getting Into Israel: Easier Than It Should Be  
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[1](#)2. (SBU) NGO contacts and GOI officials contended in both introductory and follow-on meetings with Poloff that anecdotal evidence indicates women continue to be easily trafficked into Israel to work as prostitutes. The GOI says, however, that the number of women trafficked for prostitution during 2004 decreased to 1,000-1,500 from 2,000-3000 in 2003. NGO contacts said, for example, that some women who enter with visas are able to obtain the visas without personal interviews or by use of fraudulent documents indicating that they are Jewish. The GOI has also indicated that this latter problem exists, particularly with women from Ukraine, but neither the government nor NGOs could provide estimates.

[1](#)3. (SBU) In 2003, the GOI established the Border Police Ramon Unit to patrol along the Egypt-Israel border, which Israeli officials say is the prime route for smuggling women, drugs and weapons into Israel. Several NGOs charge that the new unit has not been effective in preventing people from illegally crossing the border, based on the number of trafficked women still entering Israel. The Ramon Unit's

Foreign Press spokesperson rejected this criticism in a conversation with Poloff, but acknowledged that the Unit's successes have primarily been in the interception of tobacco and drugs, and some weapons. During 2004, according to the GOI, the Unit interdicted 43 women attempting to cross the border, all presumed to be trafficking victims.

14. (SBU) Deterring victims from trying to enter Israel is the first step to blocking TIP, say many NGO activists, who thus advocate educating potential victims before they travel. As part of an ongoing public awareness/prevention campaign, the Ministry of Foreign Affairs announced in November 2003 that it would begin distributing Russian-language brochures -- for use in TIP source countries such as Russia, Uzbekistan and Moldova -- that warn women of the dangers of going to Israel to work as prostitutes, an effort spearheaded by the NGO Isha L'isha (Woman to Woman). Other NGOs have applauded this governmental effort to prevent TIP in source countries and predicted that it will be effective in deterring many women from coming to Israel. No such campaign, however, targets the victims once they are already working in Israel, which could educate the women on where to get help and how to contact law enforcement officials without fear. Although the information might not reach trafficking victims living in conditions of bondage, one NGO suggested using creative outlets for disseminating such information, such as taxi drivers.

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The Law: Does It Deter Or Encourage TIP?  
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15. (SBU) Because Israeli law does not prohibit prostitution, the Israeli legal system indirectly encourages TIP, asserted Uri Sadeh of the Hotline for Migrant Workers. The Israeli Parliament (Knesset), however, has considered "criminalizing the client." Several NGO contacts said they believe that legally prohibiting solicitation, and/or use of the services of a prostitute would decrease demand for prostitution, and thus TIP. Sadeh noted that such legislation has not yet been introduced and predicted that it would encounter fierce opposition, if it were, because it would criminalize an activity that is quietly tolerated. Ministry of Justice lawyer Rochelle Gershoni told Poloff that a February 2004 MOJ legal opinion concluded that criminalizing the client would only be effective if the government conducted a public education campaign in advance to "prepare the public." She noted that this law is still being considered, but could not give a timeframe for any further action.

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The Police: Insensitive to Trafficked Women  
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16. (SBU) Compounding problems, the Israeli police, Sadeh charged, pay inadequate attention to trafficking, although police claim that their closure of a number of brothels during 2004 has helped deter trafficking for prostitution in Israel. The police, Sadeh said, often fail to identify detainees as trafficking victims, and thereby do not obtain valuable testimony from them that could be used to prosecute their traffickers. He said that many victims who could benefit from the protection of Israel's only trafficking shelter (The USG helped to underwrite construction of the shelter) never get there because most referrals are done by the police, who fail to distinguish trafficking victims from others in Israel's larger population of illegal foreign workers.

17. (SBU) To underscore the point, Sadeh brought Poloff in February to the Ma'asiyahu detention facility to meet and interview detainees he identified as trafficking victims. All were detained in the wing housing illegal foreign workers. Sadeh asserted that most trafficking victims detained by police are ultimately deported without anyone realizing that they were trafficked. If such detainees are identified as trafficking victims, they are asked to testify and, if they agree, are sent to the trafficking shelter. The GOI, in a written report to the Embassy about TIP, said its police officers are doing more to encourage TIP victims to testify. The government says "it is a matter of police policy to encourage victims of trafficking to testify against traffickers and to try to ensure that traffickers will be prosecuted." Sadeh's colleague at the Hotline for Migrant Workers, Shevy Korzen, said the authorities sometimes do not communicate news of the pending deportation of trafficking victims to NGOs. Were the authorities to do so, the NGOs could contact counterpart NGOs in the source countries, that help rehabilitate and reintegrate the returning trafficking victims. Korzen acknowledged, however, that police do initiate this NGO contact in many cases, but could not provide numerical estimates.

18. (SBU) An Israeli police intelligence commander told Poloff that the police refer to the shelter only those trafficking victims who agree to testify because of the shelter's limited capacity and as an inducement for victims

to provide evidence against traffickers. The police referred 108 trafficking victims for prostitution to the shelter, according to police sources, who also claimed that the police have instituted better training for its officers to recognize TIP and identify its victims. For example, the School of Continuing Education for Police conducted two programs on trafficking in December 2004 and February 2005 for police. One training session focused on trafficking rings, and how to identify, investigate and gather evidence for, prosecution of trafficking cases; the other was an overview of trafficking generally. In 2004, the police also reportedly organized for its officers 20 lectures by guest speakers on trafficking, including the state's overall policy regarding prevention, prosecution, investigation and protection. Several NGO contacts agreed that governmental efforts to improve training law enforcement officials to combat TIP have been effective, although some have charged that the training did not reach enough officers.

9. (SBU) Sadeh also criticized police for sometimes pressuring TIP victims to buy their own airline tickets home, under threat of deportation to Egypt. Sadeh called the threat of deportation to Egypt coercive although he acknowledged that Israeli law allows the authorities to ask prospective deportees to purchase their own airline tickets.

10. (SBU) The Chief Superintendent of the Israeli police for International Operations confirmed to Poloff that the police had in the past, sent back to Egypt women who entered Israel from Egypt. In September 2004, however, the Police Commander, he said, ordered the police to cease all such deportations to Egypt and to interrogate all detained foreign prostitutes to determine if they had been trafficked. Sadeh claimed, however, that several trafficking victims he met in the Tzohar detention facility in southern Israel during 2005, told him that they were threatened with deportation to Egypt if they did not buy their own airline tickets home.

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The Courts: Backlogs Hinder TIP Prosecutions  
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11. (SBU) Korzen characterized 2004 as a year of marked improvement in the prosecution of traffickers, notably through the imposition of stiffer sentences, but expressed concern that some trafficking victims are not told they can testify against traffickers. Some, who might be inclined to testify, she said, do not have a chance to do so because they are deported quickly as illegal foreign workers. "How, she questioned, can victims collaborate with the system, if they are quickly deported out of the country and not fully informed of their options (to testify)?" Korzen said that the Hotline knows of 500 cases of women deported in 2004 and 450 in 2003, all of whom, she asserted, were trafficked into Israel for prostitution, but deported as illegal foreign workers. Korzen said the Hotline received this information from the police and the Immigration Administration, but that the Hotline was not involved in the processing of the deportees.

12. (SBU) The director of the shelter for trafficked women in Israel, Rinat Davidovich, echoed Korzen in acknowledging progress the judicial system has made in imposing stiffer sentences for sentences for traffickers. Average sentences, she said, have increased from 1-3 years to 6-8 years, with maximum sentences now reaching 10-12 years. The lengthy judicial process, however, has forced TIP victims who agree to testify, she said, to wait up to a full year waiting for a trial to begin. The victims in the shelter all get visas to stay in Israel during, and sometimes after, the trial, although the government does not provide them with housing or employment during or after the trial, but permits them to work.

13. (SBU) MOJ attorney Rochelle Gershoni told Poloff that on December 29, 2004, the GOI decided to implement this proposal and on February 15, the government drafted legislation, which is being considered by the Constitutional Law Committee of the Knesset. The change would allow individual judges to hear cases, effectively multiplying the capacity to try traffickers. In a separate meeting with Poloff, however, Supreme Court Justice Dorit Beinisch (protect) expressed concern that this proposal would place all judicial decision-making with one person, and thus could result in arbitrary and erroneous decisions.

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Protecting The Victims: Good News And Bad  
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14. (SBU) Hotline official Sadeh described the trafficking shelter as well-run, a view no NGO representatives contradicted. He blamed the police, however, for failing to refer enough women to the shelter, estimating, based on frequent conversations with the shelter director, that only 42 or 43 women reside in the shelter at a time, out of a

maximum capacity of 50. The shelter director confirmed to Poloff that 42 women and one child are currently residing in the shelter. During 2004, according to the police, 108 women were referred to the shelter. Police contacts confirmed to Poloff that their officers refer only those women who agree to testify in order to facilitate the prosecution of traffickers.

15. (SBU) Even women who make it to the shelter sometimes face obstacles from the police, Korzen charged. Under the guise of "protecting the women," the police, she and other NGO representatives alleged, control many aspects of the trafficked victims' lives, which NGOs assert, should not be within police purview. Korzen told Poloff, for example, that police decide which women can leave the shelter in order to go to work, and for how long they can leave. Shelter director Davidovich acknowledged that the women often claim that they are restricted in their movements. She clarified, however, that the police are not responsible for such restrictions, except in those cases where it would be dangerous for a woman to have unrestricted movement because her pimp or trafficker is searching for her. The shelter itself, she explained, imposes schedule limitations and curfews on its residents to instill discipline in the women and discourage them from working as prostitutes at night.

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